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In re Application of  
RICHARD, Johan  
Application No.: 10/530,092  
PCT No.: PCT/US03/27209  
Int. Filing Date: 02 September 2003  
Priority Date: 03 September 2002  
Attorney Docket No.: 1370 US/PCT  
For: GAS PURGED NOZZLE

DECISION ON PETITION  
UNDER 37 CFR 1.181

This decision is in response to applicant's facsimile communication dated 20 July 2005, which is being treated as a petition under 37 CFR 1.181.

On 02 September 2003, applicant filed the above identified international application which claimed priority date of 03 September 2002. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 03 March 2005.

On 01 April 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; and a preliminary amendment.

On 03 May 2005, applicant filed a petition to revive under 37 CFR 1.137(b). The petition was granted in a Decision dated 11 May 2005.

On 25 May 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an oath or declaration in compliance with 37 CFR 1.497(a) and (b).

On 20 July 2005, applicants filed the present petition which included a copy of a Declaration of Inventorship under PCT Rules 4.17(iv) and 51bis.1(a)(iv) filed during the international phase.

A review of the application reveals that the Declaration of Inventorship under PCT Rules 4.17(iv) and 51bis.1(a)(iv) for the purposes of the designation of the United States of America has been forwarded by the Receiving Office/United States. The declaration of inventorship filed with international application under PCT Rule 4.17(iv) and 51bis.1(a)(iv) complies with 37 CFR 1.497, therefore, the Notification of Missing Requirements (Form

PCT/DO/EO/905) dated 25 May 2005 is VACATED and the petition under 37 CFR 1.181 is GRANTED.

The application has an international filing date of 02 September 2003 under 35 U.S.C. 363 and a 35 U.S.C. 371(c) date of **03 May 2005**. This application is being returned to the United States/Elected Office for processing in accordance with this decision.



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